

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

MICHAEL G. POSTAWKO, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 2:16-CV-04219 NKL
)	
MISSOURI DEPARTMENT OF)	
CORRECTIONS, <i>et al.</i> ,)	
)	
Defendants.)	

**PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL CERTAIN EXHIBITS
TO THEIR SUGGESTIONS IN SUPPORT OF MOTION FOR PRELIMINARY
INJUNCTION**

Plaintiffs respectfully move for an order permitting them to file under seal certain exhibits to their Suggestions in Support of their Motion for Preliminary Injunction. In support, Plaintiffs state as follows:

1. Plaintiffs plan to file their Motion for Preliminary Injunction and Suggestions in Support of same, with supporting exhibits, on June 17, 2019.
2. Certain exhibits to Plaintiffs' Suggestions in Support of their Motion for Preliminary Injunction consist of or contain information protected from disclosure under the parties' Protective Order (ECF No. 168), including Plaintiffs' protected health information and email correspondence designated by MDOC as CONFIDENTIAL.
3. Under the parties' Protective Order, such documents or information "shall be redacted from any document before filing the document with the Court. Contemporaneously, an unredacted copy shall be filed with the Court under seal." ECF No. 168, ¶ 15.
4. Plaintiffs seek leave to file exhibits to their Suggestions under seal in light of these designations and without waiver of any objections to those designations. Plaintiffs will

contemporaneously file a public version with the necessary redactions in compliance with the terms of the Protective Order.

WHEREFORE Plaintiffs respectfully request leave to file certain exhibits to their Suggestions in Support of their Motion for Preliminary Injunction under seal with the Court.

Respectfully submitted,

/s/ Anthony E. Rothert

Anthony E. Rothert, #44827

Jessie Steffan, #64861

Omri E. Praiss, #41850

American Civil Liberties Union
of Missouri Foundation

906 Olive Street, Suite 1130

St. Louis, Missouri 63108

Phone: (314) 652-3114

Fax: (314) 652-3112

trothert@aclu-mo.org

jsteffan@aclu-mo.org

Gillian R. Wilcox, #61278

American Civil Liberties Union
of Missouri Foundation

406 West 34th Street, Suite 420

Kansas City, Missouri 64111

Phone: (816) 470-9938

Fax: (314) 652-3112

gwilcox@alcu-mo.org

Amy E. Breihan, #65499

Megan G. Crane, #71624

RODERICK & SOLANGE

MACARTHUR JUSTICE CENTER

3115 South Grand Blvd., Suite 300

St. Louis, MO 63118

Phone: (314) 254-8540

Fax: (314) 254-8547

amy.breihan@macarthurjustice.org

megan.crane@macarthurjustice.org

Elizabeth L. Henthorne (*pro hac vice*)
Amelia I. P. Frenkel (*pro hac vice*)
Anastasia M. Pastan (*pro hac vice*)
Wilkinson Walsh + Eskovitz, LLP
2001 M Street NW
10th Floor
Washington, DC 20036
Phone: (202) 847-4000
Fax: (202) 847-4005
bhenthorne@wilkinsonwalsh.com
afrenkel@wilkinsonwalsh.com
apastan@wilkinsonwalsh.com

Meghan C. Cleary (*pro hac vice*)
Wilkinson Walsh + Eskovitz, LLP
11601 Wilshire Blvd., Suite 600
Los Angeles, CA 90025
Phone: (424) 291-9669
Fax: (202) 847-4005
mcleary@wilkinsonwalsh.com

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed electronically and served by operation of the CM/ECF system on all counsel of record on June 17, 2019.

/s/ Anthony E. Rothert